

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTHONY BUSH,

Plaintiff,

-against-

NEW YORK CITY; DEPARTMENT OF CORR
OF NYC,

Defendants.

1:23-CV-5759 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated August 28, 2023, the Court granted Plaintiff leave to file an amended complaint within 60 days. That order specified that failure to comply would result in dismissal of Plaintiff's claims that he asserts on Andre Antrobus's behalf without prejudice, dismissal of Plaintiff's claims under federal law that he asserts on his own behalf for failure to state a claim on which relief may be granted, *see* 28 U.S.C. § 1915(e)(2)(B)(ii), and the Court's declining to consider, under its supplemental jurisdiction, Plaintiff's claims under state law that he asserts on his own behalf, *see* 28 U.S.C. § 1357(c)(3). Plaintiff has not filed an amended complaint. Accordingly, the Court dismisses this action for the reasons stated above.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Court directs the Clerk of Court to enter judgment in accordance with this order.

SO ORDERED.

Dated: December 4, 2023
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge